
HOUSE BILL No. 1585

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-4-13.

Synopsis: Arbitration in domestic relations cases. Permits a county to operate an alternative dispute resolution program for domestic relations cases if the county: (1) uses a plan submitted to the judicial conference; and (2) obtains approval by a majority of the judges in the county exercising jurisdiction over domestic relations and paternity cases. (The introduced version of this bill was approved by the commission on courts.)

Effective: July 1, 2003.

Summers

January 16, 2003, read first time and referred to Committee on Judiciary.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1585

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-4-13 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]:

4 **Chapter 13. Alternative Dispute Resolution in Domestic**
5 **Relations Cases**

6 **Sec. 1. (a) Notwithstanding IC 33-19-5-4, if a county meets the**
7 **requirements of this chapter, the clerk of the court shall collect**
8 **from the party filing a petition for legal separation, paternity, or**
9 **dissolution of marriage under IC 31 a civil costs fee of one hundred**
10 **twenty-seven dollars (\$127).**

11 **(b) Not later than thirty (30) days after the clerk collects a fee**
12 **under subsection (a), the clerk shall forward to the county auditor**
13 **the difference between the fees collected under subsection (a) and**
14 **the fees that would have been collected under IC 33-19-5-4. The**
15 **county auditor shall deposit the fees forwarded by the clerk under**
16 **this section into the alternative dispute resolution fund established**
17 **under section 2 of this chapter.**



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1 **Sec. 2. (a) There is established an alternative dispute resolution**
 2 **fund for the circuit court and an alternative dispute resolution**
 3 **fund for the superior court. The exclusive source of money for each**
 4 **fund is the fees collected under section 1 of this chapter for the**
 5 **circuit or superior court, respectively.**

6 **(b) The funds shall be used to foster domestic relations**
 7 **alternative dispute resolution, including mediation, reconciliation,**
 8 **nonbinding arbitration, and parental counseling. Litigants referred**
 9 **by the court to services covered by the fund shall make a**
 10 **copayment for the services in an amount determined by the court.**
 11 **The fund shall be administered by the circuit or superior court that**
 12 **exercises jurisdiction over domestic relations and paternity cases**
 13 **in the county. Money in each fund at the end of a fiscal year does**
 14 **not revert to the county general fund but remains in the fund for**
 15 **the uses specified in this subsection.**

16 **Sec. 3. A county desiring to participate in the program under**
 17 **this chapter must:**

18 **(1) develop a plan to carry out the purposes of section 2 of this**
 19 **chapter that has been approved by a majority of the judges in**
 20 **the county exercising jurisdiction over domestic relations and**
 21 **paternity cases; and**

22 **(2) submit the plan to the judicial conference of Indiana.**

23 **The plan must include information concerning how the county**
 24 **proposes to carry out the purposes of the domestic relations**
 25 **alternative dispute resolution fund as set out in section 2 of this**
 26 **chapter. The plan may include the use of senior judges as**
 27 **mediators in domestic relations cases as assigned by the supreme**
 28 **court. The judicial conference of Indiana may request additional**
 29 **information from the county as necessary.**

30 **Sec. 4. A county that participates in the program under this**
 31 **chapter shall submit a report to the judicial conference of Indiana**
 32 **not later than December 31 of each year summarizing the results**
 33 **of the program.**

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